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|---------------------------------|---|----------|
| In re Application of | : | |
| KLUG, Franz et al. | : | |
| Application No.: 10/572,656 | : | |
| Filing Date: 20 March 2006 | : | DECISION |
| Attorney Docket No.: E0196.0100 | : | |
| For: METHOD AND DEVICE FOR | : | |
| PROTECTED TRANSMISSION OF | : | |
| DATA | : | |

This decision is in response to applicants' petition to convert, filed in the United States Patent and Trademark Office on 18 April 2006

BACKGROUND

On 20 March 2006, applicant filed a transmittal letter for entry into the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee, the search fee, examination fee and an application data sheet. The papers were assigned serial number 10/572,656.

On 18 April 2006, applicants submitted the instant petition to convert the application from a filing under 35 USC 371 to a filing under 35 USC 111. The submission included a copy of the specification and a second transmittal letter. The submission was assigned serial number 11/405,500.

On 14 July 2006, applicants filed a petition to correct the filing date in 11/405,500 in response to a Notice to File Missing Parts issued by the Office of Initial Patent Examination.

DISCUSSION

The transmittal letter (Form PTO-1390) filed on 20 March 2006, identified the application as "a filing under 35 U.S.C. 371." However, a review of the submission does not provide an international application of which the 20 March 2006 submission could be a national stage. Applicants' application will be processed under 35 U.S.C. §111, as requested. Additionally, the second application file was created in error. The papers from 11/405,500 will be transferred to 10/572,656. All future correspondence with regard to this application should use the 10/572,656 serial number.

CONCLUSION

For the above reasons, the petition to convert the national stage filing into a filing under 35 U.S.C. §111 is **GRANTED**.

This application is accepted as an application filed under 35 U.S.C. §111(a) with a filing date of 20 March 2006.

Any further correspondence with respect to this matter should be addressed to the Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

This application is being forwarded to the Office of Initial Patent Examination for processing as a national application filed under 35 U.S.C. §111(a) with a filing date of **20 March 2006**.



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